

Service Date: August 13, 1990

FINAL ORDER NO. 6003

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION

In the Matter of the Application of) Docket No. T-9524
SEA-NIC TRANSPORT, INC., Missoula, MT)
for a Montana Intrastate Certificate)
of Public Convenience and Necessity.)

The Commission, having taken evidence and being fully
advised in the premises, makes the following findings,
conclusions and order:

FINDINGS OF FACT

1. On March 6, 1990, Sea-Nic Transport, Inc., Box 4312,
Missoula, Montana 59806, filed an application with the Montana
Public Service Commission under Title 69, MCA, for a
Certificate of Public Convenience and Necessity authorizing
the building materials and feed products, Class C, between all
points and places in the State of Montana.

2. In accordance with Section 69-23-321, MCA, as amended,
this matter was noticed to the public April 6, 1990. That
notice said in pertinent part:

If no written protests are received by April 26, 1990,
a hearing may not be held and a final order may be
issued in this Docket. If a protest is received, a
hearing will be scheduled. Individual notice of the
hearing will be given only to Protestants and

Applicant.

The application included affidavits of support.

3. Protests were filed by Ed Marks Trucking, Inc.; Dick Irvin, Inc.; Black Hills Trucking, Inc.; Americana Expressways, Inc.; Bob Boyd Trucking, Inc.; and Molerway Freight Lines, Inc.

4. The docket was noticed for public hearing on May 18, 1990, with hearing scheduled for Wednesday, June 20, 1990, in Helena, Montana. Prior to the hearing date, Applicant restrictively amended the application and all protests were subsequently withdrawn.

5. The record of this application is available for inspection at the Public Service Commission Office, 2701 Prospect Avenue, Helena, Montana 59620-2601.

CONCLUSIONS OF LAW

1. The Montana Public Service Commission properly exercises jurisdiction over the parties and subject matter in this proceeding.

2. The Commission afforded all parties interested in this proceeding proper notice and an opportunity to participate.

3. Public Convenience and Necessity require a grant of the authority sought by the Applicant.

ORDER

NOW THEREFORE, at a session of the Public Service

Commission, Department of Public Service Regulation of the State of Montana, held in its offices at 2701 Prospect Avenue, Helena, Montana, on the 13th day of August, 1990, there being present a quorum of Commissioners, there came regularly before the Commission for final action the matters and things in Docket No. T-9524, and the Commission being fully advised in the premises;

IT IS ORDERED by the Commission that the application of SEA-NIC TRANSPORT, INC., Box 9524, Missoula, Montana, for a Certificate of Public Convenience and Necessity IS GRANTED to the following extent:

Class C:

1) Wood Products between all points and places in the state of Montana restrictions: a) Transportation is restricted to that provided for the following accounts: Industrial Lumber Sales, Inc. (Hamilton, Montana); Independent Lumber and Supply, Inc. (Missoula, Montana); F.H. Stoltze Land and Lumber Company (Columbia Falls, Montana); Tripp Lumber Company, Inc. (Missoula, Montana); Fox Lumber (Hamilton, Montana). b) Transportation is limited to shipments in excess of 30,000 pounds.

2) Animal feed products between all points within the State of Montana. Restrictions: a) Transportation is restricted to the account of GTA Feeds (Great Falls, Montana). b) Bulk transportation is prohibited.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the Applicant herein.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public

Service Commission, IN OPEN SESSION at Helena, Montana, this
13th day of August, 1990, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

HOWARD L. ELLIS, Chairman

DANNY OBERG, Vice Chairman

JOHN B. DRISCOLL, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

REX MANUEL, Commissioner

ATTEST:

Ann Peck
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.